

41



11-24-3

1635

AMENDMENT TRANSMITTAL LETTER			Docket No. DFN-038
Application No. 10/066443-Conf. #3678	Filing Date February 5, 2002	Examiner Brian A. Whiteman	Art Unit 1635

Applicant(s): Bruce M. Spiegelman, et al.

Invention: METHODS AND COMPOSITIONS FOR MODULATING GLUCONEOGENESIS USING PGC-1

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

RECEIVED

DEC 01 2003

CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	77	- 77 =		x	0.00
Independent Claims	5	- 5 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

TECH CENTER 1600/2900

☐ Large Entity☒ Small Entity☒ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. _____ in the amount of \$ _____
A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-0080
as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

DeAnn F. Smith
DeAnn F. Smith
Attorney Reg. No.: 36,683

Dated: November 21, 2003

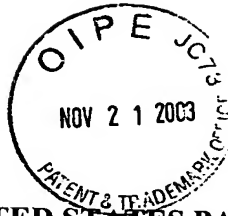
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 311017328 US, in an envelope addressed to: MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 21, 2003

Signature: DeAnn F. Smith

(DeAnn F. Smith)



Docket No.: DFN-038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

DEC 01 2003

TECH CENTER 1600/2900

In re Patent Application of: Spiegelman, *et al.*

Application No.: 10/066,443

Group Art Unit: 1635

Filed: February 5, 2002

Examiner: Brian A. Whiteman

For: Methods And Compositions For Modulating
Gluconeogenesis Using PGC-1

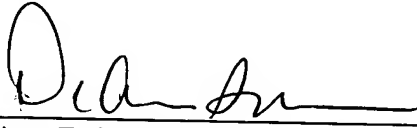
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail Receipt No. EV 244 879 518 US in an envelope addressed to: MS Non-Fee Amendment, Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450, on the date shown below.

November 21, 2003
Date of Signature and of Mail Deposit

By:


DeAnn F. Smith, Esq.
Registration No. 36,683
Attorney for Applicants

**PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION
REQUIREMENT**

Dear Sir:

This communication is in response to the Office Action dated October 21, 2003 (Paper No. 6).

Amendments to the claims begin on page 2 of this paper.

Amendments to the Specification begin on page 10 of this paper.

Remarks begin on page 15 of this paper.

Response to Restriction Requirement begins on page 16 of this paper.